

## § 321.2

## 32 CFR Ch. I (7–1–98 Edition)

to themselves, and may follow the procedures outlined in these rules in any case.

[40 FR 55546, Nov. 28, 1975, as amended at 46 FR 35640, July 10, 1981. Redesignated at 56 FR 55631, Oct. 29, 1991]

### § 321.2 References.

(a) Pub. L. 93–579 (5 U.S.C. 552a) the Privacy Act of 1974.

(b) DoD Directive 5400.11, Personal Privacy and Rights of Individuals Regarding Their Personal Records, dated 4 August 1975.

(c) DIS Regulation 28–4, “Access to and Maintenance of DIS Personal Records”.

(d) DoD Directive 5400.7, DoD Freedom of Information Program.

(e) Office of Management and Budget Guidelines for Implementation of the Privacy Act of 1974, dated 1 July 1975.

(f) DIS Manual for Personnel Security Investigations.

[40 FR 55546, Nov. 28, 1975, as amended at 46 FR 35640, July 10, 1981. Redesignated at 56 FR 55631, Oct. 29, 1991, as amended at 57 FR 33124, July 27, 1992]

### § 321.3 Definitions.

(a) All terms used in this part which are defined in 5 U.S.C. 552a shall have the same meaning herein.

(b) As used in this part, the term *agency* means the Defense Investigative Service.

[46 FR 35640, July 10, 1981. Redesignated at 56 FR 55631, Oct. 29, 1991]

### § 321.4 Information and procedures for requesting notification.

(a) *General.* Any individual may request and receive notification of whether he is the subject of a record in any system of records maintained by DIS using the information and procedures described in this section.

(1) Paragraphs (b) and (c) of this section give information that will assist an individual in determining in what systems of DIS records (if any) he may be the subject. This information is presented as a convenience to the individual in that he may avoid consulting the lengthy systems notices elsewhere in the FEDERAL REGISTER.

(2) Paragraph (d) of this section details the procedure an individual

should use to contact DIS and request notification. It will be helpful if the individual states what his connection with DIS has or may have been, and about what record system(s) he is inquiring. Such information is not required, but its absence may cause some delay.

(b) *DIS Records Systems.* A list of DIS records systems is available by contacting Defense Investigative Service, Office of Information and Public Affairs, 1900 Half Street, SW, Washington, DC 20324–1700.

(c) *Categories of individuals in DIS Record Systems.* (1) If an individual has ever been investigated by DIS, the investigative case file should be a record in system DIS 5–01. An index to such files should be in DIS 5–02.

(2) If an individual has ever made a formal request to DIS under the Freedom of Information Act or the Privacy Act of 1974, a record pertaining to that request under the name of the requester, or subject matter, will be in system DIS 1–01.

(3) If an individual is or has ever been a member of DIS, i.e., a civilian employee or appointee, or a military assignee, then he may be a subject of any of the 22 record systems depending on his activities, with the following exceptions:

(i) Civilian personnel will not be subjects of DIS 4–05.

(ii) Military personnel will not be subjects of systems DIS 4–06, 07, 08, or 09.

(4) Individuals who have been applicants for employment with DIS, or nominees for assignment to DIS, but who have not completed their DIS affiliation, may be subjects in systems DIS 4–02, 4–04, 5–01, 5–02, or 6–01.

(5) Any individual who is a subject, victim or cross-referenced personally in an investigation by an investigative element of any DoD component, may be referenced in the Defense Central Index of Investigations, system DIS 5–02, in an index to the location, file number, and custodian of the case record.

(6) Individuals who have ever presented a complaint to or have been connected with a DIS Inspector General inquiry may be subjects of records in system DIS 2–01.